

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 11
)	
COUNTRY CLUB, INC.)	CASE NO. 18-66879
)	
Debtor.)	
)	

MOTION FOR LIMITED EXTENSION OF BAR DATE

COMES NOW Debtor Country Club, Inc., (“Debtor”) and files this Motion for Limited Extension of Bar Date pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3) and shows the Court as follows:

1.

Federal Rule of Bankruptcy Procedure 3003(c)(3) provides that the Court “shall fix and for cause shown may extend the time within which proofs of claim or interest may be filed.” Debtor asserts that cause exists for the Court to extend the time by which those certain adult entertainers described below may file proofs of claim in Debtor’s bankruptcy case.

2.

Debtor operates an adult entertainment club known as Gold Rush Show Bar (the “Club”). Adult entertainers work at the Club (collectively, the “Dancers”) and are issued tax forms 1099 addressed to them at the addresses they provide to Debtor.

3.

Certain Dancers, who either currently work or worked at the Club, are plaintiffs in litigation filed against Debtor that involves Fair Labor Standard Act (“FLSA”) claims and/or state law wage and hour claims (collectively, “Plaintiffs”).

4.

Plaintiffs are represented by counsel in those FLSA actions and in Debtor's bankruptcy case. Counsel on behalf of Plaintiffs has filed proofs of claim in this bankruptcy case. Some of Plaintiffs continue to work at the Club.

5.

In December 2018, Debtor filed a Motion to Set Bar Date and to Provide Notice by Publication to Unknown Creditors and Claimants. The bar date was set for February 15, 2019 (the "Original Bar Date Notice"). Debtor served its Original Bar Date Notice on all those creditors and claimants scheduled in its Schedules and served the Original Bar Date Notice upon counsel for Plaintiffs and published the Original Bar Date Notice in the Atlanta Journal Constitution.

6.

Debtors did not serve the Original Bar Date Notice upon each dancer personally who works or worked at the Club.

7.

In order to determine all the claims in Debtor's bankruptcy case, Debtor seeks permission to extend the Original Bar Date Notice only as to those Dancers who worked at the Club during the years 2015, 2016, 2017, 2018, 2019, including present Dancers. This period including, the three (3) year period prior to the Petition Date, reflects the time period during which the Dancers may allege Debtor violated FLSA provisions and assert FLSA claims for any such violation.

8.

Debtor's notice will give notice to each Dancer of their right to file claims in the case for a certain period of time and thereafter be barred from filing such claims against Debtors either in the Bankruptcy Court or in any other forum.

9.

Debtor proposes that the Extended Bar Date Notice attached as "Exhibit A" to this Motion be mailed to each Dancer at the name and address listed on their tax form 1099 with sufficient postage attached thereto.

10.

Debtor has filed contemporaneously herewith its Application to Employ Katie Goodman as its claims agent to create the mailing matrix from Debtor's records and to mail the Extended Bar Date Notice to the Dancers.

11.

Debtor proposes April 10, 2019 as the extended bar date for the filing of any and all claims asserted by the Dancers.

Wherefore, for good cause shown, Debtor respectfully requests that the Court, pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3), enter an order authorizing Debtor to extend the bar date in its bankruptcy case to April 10, 2019 exclusively as to those Dancers who worked at Debtor's Club during the years 2015, 2016, 2017, 2018, 2019, including present Dancers, and to bar all such Dancers from filing any claims after the Extended Bar Date, and to grant to Debtor such other and further relief as may be just and proper.

This 1st day of February 2019.

Respectfully submitted,

McBRYAN, LLC

/s/Louis G. McBryan

Louis G. McBryan, Georgia Bar No. 480993

Cecilia J. Christy, Georgia Bar No. 370092

6849 Peachtree Dunwoody Road

Building B-3, Suite 100

Atlanta, GA 30328

Telephone (678) 733-9322

Fax (678) 498-2709

lmcbryan@mcbryanlaw.com

Attorney for Debtor

EXHIBIT A

NOTICE OF BANKRUPTCY AND EXTENDED BAR DATE FOR FILING CLAIMS

Notice is given that **Country Club, Inc. d/b/a Gold Rush Show Bar** filed a Chapter 11 Bankruptcy Case on October 5, 2018 in the United States Bankruptcy Court for Northern District of Georgia, Atlanta Division which has Case Number 18-66879-jwc. You have received this Notice because you work or worked as an adult entertainer at **Gold Rush Show Bar** during the years 2015, 2016, 2017, 2018, 2019, including present Dancers. As an adult entertainer you may have claims arising under the Fair Labor Standards Act during that time period.

If you determine that you have such a claim or any other claim against Country Club, Inc. d/b/a Gold Rush Show Bar, you MUST file your claim by **April 10, 2019**. Your claim must be filed with:

Clerk, U.S. Bankruptcy Court
1340 U.S. Courthouse
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303

on or before **April 10, 2019** (the “Extended Bar Date”). Proofs of Claim filed electronically may be filed up to 11:59:59 p.m. All other Proofs of Claim must be filed by delivery to the Clerk’s Office **before 4:00 p.m.** The Proof of Claim must be filed in the case of Country Club, Inc., Case No. 18-66879-jwc.

If you do not file a proof of claim by the above-deadline and as described, you will be forever barred, estopped, and enjoined from asserting your claim against Country Club, Inc. d/b/a Gold Rush Show Bar and its bankruptcy estate and will be barred from participating in any plan of reorganization that may be confirmed in this Chapter 11 proceeding.

You may download the Proof of Claim form at <http://www.ganb.uscourts.gov/proof-claim> or you may send a request for a proof of claim form to alepage@mcbryanlaw.com.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:) CHAPTER 11
)
COUNTRY CLUB, INC.) CASE NO. 18-66879
)
Debtor.))
)

CERTIFICATE OF SERVICE

I certify that I have electronically filed the foregoing **COUNTRY CLUB, INC'S MOTION FOR LIMITED EXTENSION OF BAR DATE** by with the Clerk of Court using the CM/ECF system which will send electronic notification to all users who have consented to such service and by placing same in a properly addressed envelope with adequate postage affixed thereon by placing same in the U.S. Mail upon the Debtors' thirty (30) largest unsecured creditors on a consolidated basis listed on the attached "Exhibit A".

This 1st day of February 2019.

McBRYAN, LLC

/s/Louis G. McBryan

Louis G. McBryan, Georgia Bar No. 480993

Cecilia J. Christy, Georgia Bar No. 370092

6849 Peachtree Dunwoody Road

Building B-3, Suite 100

Atlanta, GA 30328

Telephone (678) 733-9322

Fax (678) 498-2709

lmcbryan@mcbryanlaw.com

Attorney for Debtor

Trop, Inc., et al.,
Consolidated Creditors Matrix

Business First Bank
Attn: Mark Manda
500 Laurel Street
Baton Rouge, LA 70801

Ronika Jones
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Seleta Stanton
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Janice Dennis
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Steveontrae McDowell
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Shanice Bain
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Queen Lewis
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Jaszmann Espinoza
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Schulten Ward & Turner
260 Peachtree Street NW
#2700
Atlanta, GA 30303

Ainsworth Dudley
c/o Leslie Pineyro
Leon S. Jones
Jones & Walden, LLC
21 Eighth Street, NE
Atlanta, GA 30309

Michael L. Chapman, PC
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Kiara Scott
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Netonia Bell
c/o Harlan S. Miller, Esq.
6868 Leslie Lane
Macon, GA 31220

Gerald Tobin
4551 Ponce de Leon Blvd
Miami, FL 33146-1832

Carlson Lynch Sweet Kilpela Carpenter LLP
c/o Edward Danowitz, Esq.
Danowitz Legal, PC
300 Galleria Parkway, Suite 960
Atlanta, GA 30339

Parks, Chesin & Walbert PC
74 14th Street
26th Floor
Atlanta GA 30309

BA Holdings
PO Box 14636
Atlanta, GA 30324

DeKalb County Tax Commissioner
PO Box 100004
Decatur, GA 30031

Teresa Gikas-Fears
c/o Ainsworth Dudley, Esq.
4200 Northside Parkway
1-200
Atlanta GA 30327

Tiffany Leigh Miller
c/o Ainsworth Dudley, Esq.
4200 Northside Parkway
1-200
Atlanta GA 30327

Fulton County Tax Commissioner
141 Pryor Street, SW
Atlanta, GA 30303

Charles R. Bridgers
101 Marietta Street NW Suite 3100
Atlanta GA 30303-2731

Latoya Becton
c/o Ainsworth Dudley, Esq.
4200 Northside Parkway
1-200
Atlanta GA 30327

Latisha Blake
c/o Ainsworth Dudley, Esq.
4200 Northside Parkway
1-200
Atlanta GA 30327

Georgia Department of Revenue
PO Box 105408
Atlanta, GA 30348

Shana McAllister
c/o Carlson Lynch Sweet
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222

Lauren Houston
c/o Carlson Lynch Sweet
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222

Amanda Brown
c/o Ainsworth Dudley, Esq.
4200 Northside Parkway
1-200
Atlanta GA 30327

Janay Lundie
c/o Ainsworth Dudley, Esq.
4200 Northside Parkway
1-200
Atlanta GA 30327

Kanisha Cotton
c/o Ainsworth Dudley, Esq.
4200 Northside Parkway
1-200
Atlanta GA 30327

Tarpon Financial Corp
c/o Paul Reece Marr, Esq.
Suite 960
300 Galleria Parkway NW
Atlanta, GA 30339

Thomas W. Dworschak
United States Trustee's Office
Richard B. Russell Federal Bldg Suite 362
75 Ted Turner Drive, SW
Atlanta, GA 30303

Teri G. Garlardi
c/o John A. Christy, Esq.
Shreeder, Wheeler & Flint, LLP
1100 Peachtree Street, NE
Suite 800
Atlanta, GA 30309